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REDACTED – FOR PUBLIC INSPECTION

RECEIVED

JUN 30 2005

June 30, 2005

Federal Communications Commission
Office of Secretary

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW, Room 8B201
Washington, DC 20554

EX PARTE OR LATE FILED

DOCKET FILE COPY ORIGINAL

Re: Petition of Qwest Corporation for Forbearance Pursuant to 47 U.S.C. § 160(c) in
the Omaha Metropolitan Statistical Area
WC Docket No. 04-223
Notice of Written Ex Parte Communication

Dear Ms. Dortch:

On this date, Cox Communications, Inc. ("Cox") submitted responses to certain questions from the Commission's staff in connection with the above-referenced proceeding. Some of those responses contained information for which Cox seeks confidential treatment pursuant to the *Protective Order* issued in this proceeding. The confidential information is contained on each page of the attached letter and is marked "REDACTED." The confidential portions of Cox's written presentation are being filed today with the Secretary's Office under a separate cover.

In accordance with Section 1.1206 of the Commission's rules, an original and one copy of this letter are being filed with the Secretary's Office on this date.

Please inform me if any questions should arise in connection with this letter.

Respectfully submitted,



J.G. Harrington
Counsel to Cox Communications, Inc.

Attachment

No. of Copies rec'd
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Marlene H. Dortch, Esq.

June 30, 2005

Page 2

cc (w/ attachment*): Thomas Navin
Julie Veach
Jeremy Miller
Ian Dillner
Erin Boone

* The attachments provided to the Commission staff receiving copies of this letter do not include the map because it is being provided to them with the confidential version of Cox's filing.

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Re: Petition of Qwest Corporation for Forbearance Pursuant to
47 U.S.C. § 160(c) in the Omaha Metropolitan Statistical Area
WC Docket No. 04-223
Written Ex Parte Communication

Dear Ms. Dortch:

I am writing on behalf of our client Cox Communications, Inc. to provide information requested by the staff in connection with the above-referenced proceeding.

As Cox previously has described, the central issue in this proceeding is not the retail market share of individual providers in the Omaha MSA, but the extent to which the specific requirements of Section 251(c) remain necessary for facilities-based local telephone competition to be provided in that geographic market. In that regard, so long as Cox and the other CLECs in the market have no choice but to rely on Qwest to obtain indirect interconnection with other carriers that serve the geographic market and for other purposes, Qwest and the CLECs will not be similarly situated, and market asymmetries will continue to require the application of Section 251(c) requirements to Qwest.

Cox's previous submissions and the responses to these questions demonstrate that Cox continues to rely on Qwest for indirect interconnection with other carriers. In addition, the facts detailed below demonstrate that the two carriers are not similarly situated and that, in fact, Qwest continues to have significant advantages as an incumbent that require the continuation of Section 251(c) obligations. For instance, well over half of Cox's traffic, inbound and outbound and including traffic to and from carriers other than Qwest, goes through its collocation facilities with Qwest. In addition, Cox's footprint is much smaller and is not coincident with Qwest's. Cox has full coverage in only [REDACTED] of the 24 wire centers that are the subject of this proceeding, and even in those wire centers it is unable to serve various multiple tenant environments. Cox provides less than 30 percent coverage in [REDACTED] of the wire centers where Cox offers service. Thus, Cox, the CLEC with the most complete buildout in the market, has more than 30 percent coverage in only [REDACTED] of the wire centers [REDACTED] that are the subject of the petition.

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Cox's responses to the specific questions raised by the staff are as follows. Please note that, in the response to question 3, Cox is providing corrected data concerning the number of residential lines it serves in the Omaha MSA.

1. How many collocation arrangements does Cox have in the Omaha MSA?

Cox has two collocation arrangements with Qwest in the Omaha MSA, at the 19th and Douglas wire center and at the 84th and Harrison wire center. Approximately [REDACTED] percent of the traffic that Cox sends and receives in the Omaha MSA, local and interexchange, including traffic going directly to or from Qwest and traffic to or from other carriers, goes through these two interconnection facilities. All of Cox's traffic to and from Qwest is sent via these collocation arrangements.

2. Among the wire centers served by Cox, how many have full coverage and how many have partial coverage?

Because Cox does not have full access to MTEs in the Omaha MSA, Cox does not have full coverage of any wire center it serves there, and as noted in Cox's May 13 presentation, there are approximately 8,000 to 9,000 MTEs that do not provide access to Cox. Excluding MTEs, Cox's geographic coverage of the wire centers it serves in the Omaha MSA is as follows (within each group, wire centers are listed alphabetically):

Fully served (excluding MTEs)	40 to 60 percent served
[REDACTED]	[REDACTED]
75 to 95 percent served	10 to 30 percent served
[REDACTED]	[REDACTED]

3. How many locations in the Omaha MSA can be served using Cox's current facilities?

All data provided in response to this question is as of May 1, 2005.

Cox's facilities can reach a total of [REDACTED] residential and business locations.

As discussed at the May 13 meeting with the staff, it is Cox's view that comparing total lines served to locations that can be served is not an apples to apples comparison because the average customer has more than one line. (This is particularly the case for business customers.) To create a more

June 30, 2005

Page 3

accurate comparison, Cox has determined the number of telephony customers it serves in the Omaha MSA. That number is [REDACTED] for residential and business customers combined. It is Cox's view that the number of customers served provides a more meaningful measure of market share in the area that is addressable by Cox facilities because customers rarely purchase local telephone service from more than one provider.

In compiling the data for the response to this question, Cox became aware that it previously had provided inaccurate information concerning residential lines served because it did not account for second lines in some residential locations. The correct number of residential lines served is [REDACTED].

4. *Does Cox purchase any non-interconnection trunks or special access from Qwest?*

Cox purchases some Feature Group D trunks through Qwest's access tariff. These trunks are used to terminate intraLATA toll traffic.

5. *Are the loops Cox purchases from Qwest copper or fiber?*

On the rare occasions when it purchases loops, Cox purchases copper facilities from Qwest.

6. *Please provide a map showing Cox's service area in the Omaha MSA.*

A map is attached to this letter.

Please inform me if any questions should arise in connection with this letter.

Respectfully submitted,



J.G. Harrington

Counsel to Cox Communications, Inc.

Attachment

cc (w/attachment): Thomas Navin
Julie Veach
Jeremy Miller
Ian Dillner
Erin Boone

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DOCKET NO. 04-223

Attachment A

DOCUMENT OFF-LINE

This page has been substituted for one of the following:

- o This document is confidential (**NOT FOR PUBLIC INSPECTION**)
- o An oversize page or document (such as a map) which was too large to be scanned into the ECFS system.
- o Microfilm, microform, certain photographs or videotape.
- o Other materials which, for one reason or another, could not be scanned into the ECFS system.

The actual document, page(s) or materials may be reviewed (**EXCLUDING CONFIDENTIAL DOCUMENTS**) by contacting an Information Technician at the FCC Reference Information Centers) at 445 12th Street, SW, Washington, DC, Room CY-A257. Please note the applicable docket or rulemaking number, document type and any other relevant information about the document in order to ensure speedy retrieval by the Information Technician